

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JAMES BYRD,)
18346-043,)
)
Plaintiff,)
)
v.) CASE NO. 2:18-CV-318-WKW
) [WO]
WALTER WOODS, Warden,)
)
Defendant.)

ORDER

On May 7, 2018, the Magistrate Judge filed a Recommendation to which no timely objections have been filed. (Doc. # 4.) Upon an independent review of the record and upon consideration of the Recommendation, and in light of Plaintiff's complete failure to respond to court orders or to appear in this action personally or by counsel,¹ it is ORDERED that the Recommendation is ADOPTED, and that this case is DISMISSED without prejudice for failure to prosecute and for failure to obey court orders.

¹ In federal court, parties "may plead and conduct their own cases personally or by counsel." 28 U.S.C. § 1654. "The right to appear *pro se* . . . is limited to parties conducting 'their own cases,' and does not extend to non-attorney parties representing the interests of others." *FuQua v. Massey*, 615 Fed. App'x 611, 612 (11th Cir. 2015) (quoting *Devine v. Indian River Cty. Sch. Bd.*, 121 F.3d 576, 581 (11th Cir. 1997), overruled in part on other grounds by *Winkelman ex rel. Winkelman v. Parma City Sch. Dist.*, 550 U.S. 516, 535, 127 S.Ct. 1994, 167 L.Ed.2d 904 (2007)).

Final judgment will be entered separately.

DONE this 30th day of May, 2018.

/s/ W. Keith Watkins

CHIEF UNITED STATES DISTRICT JUDGE